

PTO/SB/21 (08-04)

Approved for use through 07/31/2008. CMB 0861-0081

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/600,098

Filing Date

06/20/2003

First Named Inventor

Sean D. Monahan

Art Unit

1632

Examiner Name

Woitach, Joseph T.

Attorney Docket Number

Mirus.013.03.2

RECEIVED
CENTRAL FAX CENTER

JAN 12 2007

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/
Incomplete Application
- ☐ Reply to Missing Parts
under 37 CFR 1.82 or 1.83

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation
Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify
below):

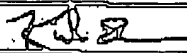
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Mirus Bio Corporation

Signature



Printed name

Kirk Ekena

Date

01/12/2007

Reg. No.

56,672

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature



Typed or printed name

Kirk Ekena

Date

01/12/2007

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

JAN 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/600,098
Applicants : Sean D. Monahan et al.
Filed : 06/20/2003
Art Unit : 1632
Examiner : Woitach, Joseph T.
Docket No. : Mirus.013.03.2

For: Intravascular Delivery of Non-Viral Nucleic Acid

Commissioner of Patents
PO Box 1450
Alexandria, VA 2231-1450

INFORMATIONAL STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. 1.56, applicant hereby calls to the attention of the Patent and Trademark Office the publications listed on the attached PTO 1449.

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was considered to be relevant prior art to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

US patent documents

Patent No.	Applicant	Issue date
2003/092180	Lewis, David et al.	05/15/2003
2002/132788	Lewis, David et al.	09/19/2002
2002/137707	Monahan, Sean et al.	09/26/2002
2001/004636	Monahan, Sean et al.	06/21/2001
6,265,387	Wolff, Jon et al.	07/24/2001

RECEIVED
CENTRAL FAX CENTER


JAN 12 2007

Foreign patent documents

Patent No.	Applicant	Issue date
WO 00/50617	Mirus Corporation	08/31/2000
WO 03/080794	Mirus Corporation	WO 03/080794

Applicant respectfully requests that these publications be expressly considered during the prosecution of this application and made of record herein and appear among the 'References Cited' on any patent to issue herefrom.

Respectfully submitted,

/Kirk Ekena 
Kirk Ekena Reg. No. 56,672
Mirus Bio Corporation
505 South Rosa Road
Madison, WI 53719
608-238-4400

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: January 12, 2007.

/Kirk Ekena 
Kirk Ekena

PTO/SB/08A (08-03)

Approved for use through 03/31/2007. OMB 0861-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many discs as necessary)

Sheet 1

01	1
----	---

Complete If Known

Application Number	10/800,098
Filing Date	06/20/2003
First Named Inventor	Sean D. Monahan
Art Unit	1632
Examiner Name	Wofach, Joseph T.
Attorney Docket Number	Minus.013.03.2

RECEIVED
CENTRAL FAX CENTER
JAN 12 2007

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						T ^o
Examiner Initials*	Cited No.*	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
		Country Code ² Number ⁴ Kind Code ⁵ (If Applicable)	MM-DD-YYYY			
		WO 00/50617	08/31/2000	Mirus Corporation	pages 2, 7-10	
		WO 03/080794	10/02/2003	Mirus Corporation	pages 6-8, 16-18, 33-50	

Examiner
Signature

Date
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 808. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinda Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.87 and 1.89. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 39 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9198 (1-800-786-9199) and select option 2.